

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THOMAS SILKOWSKI,

Plaintiff,

v.

APPLE INC., A CALIFORNIA  
CORPORATION,

Defendant.

Case No. [3:16-cv-02338-JD](#)

**ORDER TO SHOW CAUSE**

Re: Dkt. No. 48

Plaintiff Thomas Silkowski filed this lawsuit against Apple, Inc. in April 2016. Dkt. No. 1. The Court issued a scheduling order that set a pretrial conference for January 4, 2018. Dkt. No. 48. Under this Court's standing order for civil jury trials, pretrial filings were due on December 21, 2017. As of December 29, 2017, no materials have been submitted. Other than a notice of change of address filed by Silkowski's law firm in August 2017, Dkt. No. 57, the most recent filing in this case dates back to almost a year ago. *See* Dkt. No. 55 (joint stipulation regarding ADR filed January 2017).

Plaintiff Silkowski is directed to show cause in writing by January 16, 2018 as to why the action should not be dismissed to failure to prosecute pursuant to Rule 41(b). In light of the parties' failure to timely submit pretrial materials, the pretrial conference and jury trial dates are vacated.

**IT IS SO ORDERED.**

Dated: December 29, 2017

  
\_\_\_\_\_  
JAMES DONATO  
United States District Judge